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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

ICON HEALTH & FITNESS, INC., a
Delaware corporation,

Plaintiff,

v.

**PRO-FORM PERSONAL TRAINING,
INC.,** a Washington corporation,

Defendant.

NOTICE OF VOLUNTARY DISMISSAL

Case No. 1:12-cv-00214

Magistrate Judge Brooke C. Wells

Plaintiff ICON Health & Fitness, Inc. respectfully submits this Notice of Voluntary Dismissal of its claims against Defendant Pro-Form Personal Training, Inc. pursuant to Rule 41(a) of the Federal Rules of Civil Procedure. Defendant has not filed an Answer or Motion for Summary Judgment. Accordingly, Plaintiff voluntarily dismisses this case with prejudice and without Court order.

DATED this 4th day of February, 2013.

HOLLAND & HART LLP

/s/ Mark A. Miller

Mark A. Miller

Ginger Utley

Attorneys for Plaintiff